I hereby certify that this paper (along with any paper) referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as First Class Mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria (A. 22312/1450.

Dated: September 18, 2006 Signature:

(Raymond Garguilo, Jr.)

Docket No.: SPINE 3.0-437 CPCPCPCPCPCPCP I CON V (PATENT)

SEP 2 1 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Errico et al.

Application No.: 10/663,486

: Group Art Unit: 3738

Filed: September 16, 2003

: Examiner: B. E. Pellegrino

For: INTERVERTEBRAL SPACER DEVICE

HAVING RECESSED NOTCH PAIRS

FOR MANIPULATION USING A

SURGICAL TOOL

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

## AMENDMENT

Dear Sir:

In response to the Official Action mailed March 16, 2006, Applicants submit the following amendments and remarks.